IN THE HIGH COURT OF JUDICATE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INSOLVENCY PETITION NO. 11 OF 2007

RE : Devi Dutt …… ..A Debtor

Debtor and Advocate absent

CORAM : S. J. KATHAWALLA J.
DATE : APRIL 17,2012

P.C. :-

1. The above Insolvency Petition is filed by the Debtor Shri Devi Dutt On 25.01.2007 for adjudging him as an insolvent under sections 14 and 15 of the Presidency Towns Insolvency Act, 1909. After the above petition was numbered, a meeting was fixed before the Insolvency Registrar to examine the Debtor. It appears from the record that initially the debtor attended few meetings and thereafter he remained continuously absent on many occasions. The office had sent a notice to the debtor and his advocate in January 2012 calling upon the debtor to attend the meeting and also informing the debtor that the matter will be placed before this Court, The said letter sent to the debtor was returned back with the remark “Left.

2. Thereafter the debtor has continued to remain absent. By office memo dated 2nd April 2012 the advocate for the debtor was informed that since the debtor has continuously remained absent on several occasions the matter is placed before the Court for dismissal on 17th April 2012. The said letter was forwarded to the advocate by Regd. AD. However, the packet is received back with the remark “Left”.

3. Under the circumstances, since the Debtor has remained continuously absent and failed to render may assistance to the Insolvency Registrar as required, this Court is constrained to dismiss the petition. The insolvency Petition is accordingly dismissed.

S. J. KATHAWALLA J.